

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-32 are pending. Claims 1-21 and 23-32, which are independent, are amended. Support for this amendment is provided throughout the Specification, specifically at pages 13 and 57. No new matter has been introduced. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-32 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,311,194 to Sheth, et al. (hereinafter, merely “Sheth”).

### **III. RESPONSE TO REJECTIONS**

Independent claim 1 recites, *inter alia*:

“...acquisition means for acquiring video and audio data used to create the essence...”

**wherein the archiving means issues and archives a tag indicating position or time of the acquisition.**” (Emphasis added)

Applicants respectfully submit that Sheth fails to teach or suggest the above identified features of claim 1. Specifically, Sheth does not disclose that **the archiving means issues and archives a tag indicating position or time of the acquisition**, as recited in claim 1.

Specifically, the Office Action (page 2) asserts that Sheth suggests that XML allows for creation of customized tags, and refers to Sheth, Col. 6, lines 39-45. However, Applicants submit that in the present invention, as shown in Fig. 38, the acquisition system 60, which is made up of a video camera 61, a relaying car 62, acquires the video or audio to be furnished to the production system (See, Specification, page 15, paragraph [0090] and page 13, paragraph [0083]), and as shown in Fig. 39, **the GPS data indicating the place, position or time of acquisition is inputted** as metadata in the stage of the acquisition processing ACQ by the acquisition system 60 and **the input metadata is co-packed with the audio or video information obtained in acquisition by the acquisition system 60**, and then at the CG creation processing PR9, **retrieval is made** from the database showing a separately provided database, **using tag data indicating the position or time co-packed in the video or audio information** to output map graphics to complete the programme employing the map graphic by the complete editing processing PR5 (See, Specification, page 57, paragraph [0174]). Thus, nothing has been found in Sheth that would teach **the archiving means issues and archives a tag indicating position or time of the acquisition**, as recited in claim 1.

Therefore, Applicants respectfully submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, the independent claims 2-21 and 23-32 are also patentable.

#### **IV. DEPENDENT CLAIMS**

Since the other claims are each dependent from one of the independent claims discussed above, they are also patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

#### **CONCLUSION**


In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By:   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800